

Kentucky Gazette.

"True to his charge—he comes, the Herald of a noisy world; News from all nations, lumbering at his back."

D. BRADFORD, Editor.

LEXINGTON, KY. THURSDAY, MAY 30, 1839.

NO. 22.—VOL. 54.

PRINTED EVERY THURSDAY,
BY J. C. NOBLE & J. DUNLOP,
No. 6 & 7, Hunt's Row, Water Street,
FOR DANIEL BRADFORD,
Publisher of the Laws of the United States.
Publishing Office, Main Street, a few doors below Brennan's Hotel.

TERMS.
Subscription.—For one year, in advance, \$2 50; if not paid within six months, \$3 00, and if not paid within the year, \$3 50.
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BY AUTHORITY.

LAW OF THE UNITED STATES PASSED AT THE THIRD SESSION OF THE TWENTY-FIFTH CONGRESS.

[PUBLIC—No. 33.]
AN ACT to authorize the election or appointment of certain officers in the Territory of Iowa, and for other purposes.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army during the year one thousand eight hundred and thirty-nine, that is to say:
For the pay of the army, one million five hundred and thirty-four thousand eight hundred and thirty-two dollars.
For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars.
For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars.
For payments in lieu of clothing to discharged soldiers, and to officers, in lieu of clothing for their servants, fifty-nine thousand four hundred dollars.
For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars.
For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and seventy-three thousand four hundred and thirty-five dollars.
For the medical and hospital department, twenty-four thousand three hundred dollars.
For the regular supplies furnished by the quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and forty-five thousand five hundred dollars.
For barracks, quarters, store-houses, embracing the repairs and enlargement of the barracks, quarters, store houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barracks rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store houses for the safe keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments, and military practice, one hundred thousand dollars.
For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars.
For the transportation of troops and supplies, viz: transportation of the army including the baggage of troops, when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two hundred and five thousand dollars.
For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members and witnesses; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of express from the frontier posts; of the necessary articles for the internment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and unfit for service, and the erection of additional stables, one hundred and two thousand dollars.
For contingencies of the army, seven thousand dollars.
For two months extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty thousand nine hundred and twenty-seven dollars.
For the national armories, three hundred and sixty thousand dollars.
For the armament of the fortifications, one hundred thousand dollars.
For the current expenses of the ordnance service, one hundred thousand dollars.
For ordnance, ordnance stores, and supplies, one hundred and twenty thousand dollars.
For arsenals, one hundred and fifty thousand dollars.
For new machinery at the Springfield armory, twenty thousand dollars.
For purchase of land at the Allegany and Watertown arsenals, three thousand five hundred dollars.
For the expense of preparing drawings of a uniform system of artillery, and for other supplies in the ordnance department, three thousand eight hundred dollars.
For arrangements prior to the first of July, eighteen hundred and fifteen, per act of the first of May, eighteen hundred and twenty, payable through the Third Auditor's office, three thousand dollars.
For surveying and opening of the western frontier military road, being the balance of an appropriation carried to the surplus fund, fifty-two thousand one hundred and twenty-five dollars and sixty-seven cents.
Sec 2. And be it further enacted, That the following sums be and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the preservation, repairs and construction of certain fortifications and incidental expenses for the year eighteen hundred and thirty-nine, viz:
For preservation of Castle Island, and repairs of Fort Independence at Boston, twenty-five thousand dollars.
For Fort Warren, at Boston, forty thousand dollars.
For Fort Adams, at Newport, ten thousand dollars.
For the Fort at New London Harbor, five thousand dollars.
For Fort Schuyler, at New York, ten thousand dollars.
For repairs of Castle Williams and Fort Columbus, and officers' quarters, at New York, two thousand dollars.
For Fort Delaware, ten thousand dollars. Provided, That no part of this appropriation shall be applied till the title of the said fortification shall be decided to be in the United States.

JAMES K. POLK,
Speaker of the House of Representatives.
RIL. M. JOHNSON,
Vice President of the United States,
and President of the Senate.
APPROVED, March 3d, 1839.
M. VAN BUREN.

[PUBLIC—No. 31.]
AN ACT making appropriations for preventing and suppressing Indian hostilities for the year eighteen hundred and thirty-nine.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums amounting to one million eight hundred and four thousand seven hundred and seventy-four dollars be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses which have been, or may be, incurred, in preventing or suppressing the hostilities of any Indians, in the year eighteen hundred and thirty-nine, to be expended under the direction of the Secretary of War, conformably to the acts of Congress of the nineteenth of March and the second of July, eighteen hundred and thirty-six, and of the acts therein referred to:
For forage for the horses of the second dragoons, mounted volunteers and militia officers entitled to forage in kind, and for horses, mules, and oxen, in the service of troops, three hundred and ninety-two thousand eight hundred and thirty-nine dollars.
For freight or transportation of military supplies of every description from the places of purchase to Florida, two hundred and fifty-four thousand six hundred and twenty-eight dollars.
For the purchase of wagons, harness, boots and lighter horses, to keep up the trains, tools, leather and other materials for repairs, ninety-two thousand dollars.
For the transportation of supplies from the principal depots to the several posts, as well as troops, when they move by water, including the hire of steamboats and other vessels for the service in the rivers and on the coasts, and the expenses of maintaining and sailing the several steamers and transport schooners connected with the operations of the army, three hundred thousand dollars.
For the hire of mechanics, laborers, mule-drivers, teamsters, and other assistants, including their subsistence, and for soldiers' extra duty, conformably to law, one hundred thousand dollars.
For the transportation of the militia or volunteers while marching to and from the scene of operations, thirty thousand dollars.
For miscellaneous expenses of all kinds, not embraced under the foregoing heads, and which, from their contingent character, cannot be specified, four hundred thousand dollars.
For accoutrements and arms for infantry and cavalry, including militia infantry and cavalry, ammunition for men and field artillery, and repairs of arms, and for contingencies, seventy-one thousand dollars.
For the pay of such militia and volunteers as may have been or may be called into the service of the United States, in addition to the unexpended balance of the appropriation for the payment of four thousand volunteers for the year eighteen hundred and thirty-eight, one hundred and fourteen thousand three hundred and fifteen dollars.
For the purpose of holding a treaty with the Seminole Indians, five thousand dollars.
For the purchase and maintaining in active service three vessels of light draught of water, to cruise along the coast of Florida, for the protection of the lives and property of the citizens, fifty thousand dollars.
For paying the value of the horses and equipage of the Tennessee and other volunteers who have at any time been in the service of the United States in the Territory of Florida, and which were turned over and after the passage of this act, and under the action of the Third Auditor, shall be deemed to embrace all cases not already satisfied,

of horses lost to their owners in service as aforesaid, in battle or otherwise, when care and diligence be rendered manifest on the part of the owner; and if the death or loss of ranger's horses shall have occurred for want of forage, it be at places where acting in obedience to the orders of commanding officers, forage could not have been procured by proper vigilance on the part of the owner. No payment, however, shall be made for horses or other property lost or destroyed, when the loss or destruction shall have been occasioned by the fault or neglect of the owner, or where by the terms of the contract, the risk was upon the owner of the property; and no greater sum of money than the fifty-two thousand dollars appropriated by this section, shall be drawn from the Treasury by reason of its provisions.

Sec 2. And be it further enacted, That no part of the money appropriated by this act, shall be applied to the payment of any volunteers, except for arrearages, or for any expenses growing out of the employment of any volunteers for the year eighteen hundred and thirty-eight.

APPROVED, March 3d, 1839.

[PUBLIC—No. 37.]

AN ACT making appropriations for the support of the army for the year one thousand eight hundred and thirty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the army during the year one thousand eight hundred and thirty-nine, that is to say:

For the pay of the army, one million five hundred and thirty-four thousand eight hundred and thirty-two dollars.

For the subsistence of officers, four hundred and seventy thousand seven hundred and fifty-four dollars.

For forage of officers' horses, one hundred and eleven thousand one hundred and fifteen dollars.

For payments in lieu of clothing to discharged soldiers, and to officers, in lieu of clothing for their servants, fifty-nine thousand four hundred dollars.

For subsistence, exclusive of that of officers, one million one hundred and twenty-two thousand eight hundred and thirty-one dollars.

For clothing of the army, camp and garrison equipage, cooking utensils, and hospital furniture, four hundred and seventy-three thousand four hundred and thirty-five dollars.

For the medical and hospital department, twenty-four thousand three hundred dollars.

For the regular supplies furnished by the quartermaster's department, consisting of fuel, forage, straw, stationery, and printing, two hundred and forty-five thousand five hundred dollars.

For barracks, quarters, store-houses, embracing the repairs and enlargement of the barracks, quarters, store houses, and hospitals, at the several posts; the erection of temporary cantonments at such posts as shall be occupied during the year, and of gun houses for the protection of the cannon at the forts on the seaboard; the purchase of the necessary tools and materials for the objects wanted, and of the authorized furniture for the barracks rooms; rent of quarters for officers; of barracks for troops at posts where there are no public buildings for their accommodation; of store houses for the safe keeping of subsistence, clothing, and other military supplies, and of grounds for summer cantonments, encampments, and military practice, one hundred thousand dollars.

For the allowance made to officers for the transportation of their baggage, when travelling on duty without troops, sixty thousand dollars.

For the transportation of troops and supplies, viz: transportation of the army including the baggage of troops, when moving either by land or water; freight and ferriages; purchase or hire of horses, mules, oxen, carts, wagons and boats, for the purpose of transportation, or for the use of garrison; drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay department; expense of sailing a public transport between the posts on the Gulf of Mexico, and of procuring water at such posts as, from their situation, require it; the transportation of clothing from the depot at Philadelphia to the stations of the troops; of subsistence from the places of purchase, and the points of delivery under contracts, to such places as the circumstances of the service may require it to be sent; of ordnance from the foundries and arsenals to the fortifications and frontier posts, and of lead from the western mines to the several arsenals, the sum of two hundred and five thousand dollars.

For the incidental expenses of the quartermaster's department, consisting of postage on public letters and packets; expenses of courts martial and courts of inquiry, including the compensation of judge advocates, members and witnesses; extra pay to soldiers, under an act of Congress of the second of March, eighteen hundred and nineteen; expenses of express from the frontier posts; of the necessary articles for the internment of non-commissioned officers and soldiers; hire of laborers; compensation to clerks in the offices of quartermasters and assistant quartermasters at posts where their duties cannot be performed without aid, and to temporary agents in charge of dismantled works, and in the performance of other duties; expenditures necessary to keep the two regiments of dragoons complete, including the purchase of horses to supply the place of those which may be lost and unfit for service, and the erection of additional stables, one hundred and two thousand dollars.

For contingencies of the army, seven thousand dollars.

For two months extra pay to re-enlisted soldiers, and for the contingent expenses of the recruiting service, thirty thousand nine hundred and twenty-seven dollars.

For the national armories, three hundred and sixty thousand dollars.

For the armament of the fortifications, one hundred thousand dollars.

For the current expenses of the ordnance service, one hundred thousand dollars.

For ordnance, ordnance stores, and supplies, one hundred and twenty thousand dollars.

For arsenals, one hundred and fifty thousand dollars.

For new machinery at the Springfield armory, twenty thousand dollars.

For purchase of land at the Allegany and Watertown arsenals, three thousand five hundred dollars.

For the expense of preparing drawings of a uniform system of artillery, and for other supplies in the ordnance department, three thousand eight hundred dollars.

For arrangements prior to the first of July, eighteen hundred and fifteen, per act of the first of May, eighteen hundred and twenty, payable through the Third Auditor's office, three thousand dollars.

For surveying and opening of the western frontier military road, being the balance of an appropriation carried to the surplus fund, fifty-two thousand one hundred and twenty-five dollars and sixty-seven cents.

Sec 2. And be it further enacted, That the following sums be and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the preservation, repairs and construction of certain fortifications and incidental expenses for the year eighteen hundred and thirty-nine, viz:

For preservation of Castle Island, and repairs of Fort Independence at Boston, twenty-five thousand dollars.

For Fort Warren, at Boston, forty thousand dollars.

For Fort Adams, at Newport, ten thousand dollars.

For the Fort at New London Harbor, five thousand dollars.

For Fort Schuyler, at New York, ten thousand dollars.

For repairs of Castle Williams and Fort Columbus, and officers' quarters, at New York, two thousand dollars.

For Fort Delaware, ten thousand dollars. Provided, That no part of this appropriation shall be applied till the title of the said fortification shall be decided to be in the United States.

For Fort Monroe, ten thousand dollars.

For Fort Callicoon, fifteen thousand dollars.

For Fort Caswell, five thousand dollars.

For fortification in Charleston, South Carolina, and for the preservation of the site of Fort Moultrie, ten thousand dollars.

For Fort Pulaski, at Savannah, fifteen thousand dollars.

For Fort Marion, and sea-wall at St. Augustine, ten thousand dollars.

For fort on Foster's bank, Pensacola, five thousand dollars.

For contingencies of fortifications, ten thousand dollars.

For incidental expenses attending the repairs of fortifications, and for the purchase of additional land in the neighborhood, fifty thousand dollars.

For the fort at Grande Terre, being the amount of a former appropriation carried to the surplus fund, fifteen thousand dollars.

For the preservation and repair of Fort Niagara, thirty thousand dollars.

For repairing and rebuilding the old fort at Oswego, including the construction of the necessary barracks, ten thousand dollars.

For barracks and other buildings at Sackett's Harbor, ten thousand dollars.

For barracks and other buildings at Plattsburg, twenty thousand dollars.

For the construction of barracks, quarters, store-houses, hospitals and stables, and the necessary defences of the posts it may be deemed proper to establish for the better protection of the Western frontier, eighty thousand dollars.

Sec 3. And be it further enacted, That the following sums be, and the same are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year one thousand eight hundred and thirty-nine, viz:

For pay of officers, cadets, and musicians, fifty-nine thousand two hundred and twenty-eight dollars.

For subsistence of officers and cadets, forty thousand and four dollars.

For forage of officers' horses, three thousand nine hundred and thirty dollars.

For clothing of officers' servants, three hundred and ninety dollars.

For defraying the expenses of the board of visitors at West Point, two thousand dollars.

For fuel, forage, stationery, printing, transportation, and postage, twelve thousand five hundred and eighty-one dollars and forty-five cents.

For repairs, improvements and expenses of buildings, grounds, roads, wharves, boats, and fences, seven thousand two hundred and twenty-one dollars and sixty cents.

For pay of adjutant's and quartermaster's clerks, nine hundred and fifty dollars.

For increase and expenses of the library, one thousand dollars.

For miscellaneous items and incidental expenses, seven hundred and thirty-one dollars and fifty cents.

For the department of engineering, three hundred dollars.

For the department of philosophy, twelve hundred dollars.

For the department of mathematics, ninety-seven dollars and fifty cents.

For the department of chemistry, eight hundred and twenty-seven dollars and fifty cents.

For the department of drawing, two hundred and eighty-five dollars.

For the department of tactics, three hundred and sixty dollars.

For the department of artillery, two hundred and seventy-five dollars.

For a reservoir, three thousand one hundred and eighty dollars.

For two fire engines, with hose complete, one thousand nine hundred dollars.

For the completion of the buildings for the library and engineering, philosophical and chemical departments, in addition to the appropriation of eighteen hundred and thirty-eight, sixteen thousand six hundred and forty-nine dollars and fifty cents.

Sec 4. And be it further enacted, That payment shall be made under the direction of the Third Auditor, to the Missouri volunteers, whose horses were lost, or cast away at sea, or which perished or died in consequence of suffering at sea, in the voyage from New-Orleans to Tampa Bay, in the year eighteen hundred and thirty-seven; and that the sum of thirty-five thousand dollars, out of any money in the Treasury not otherwise appropriated, be, and the same is hereby appropriated, to make said payments.

And when it shall appear that erroneous valuations have been made of such property, the view to demand the Government, the Secretary of War shall suspend payment therefor until a satisfactory investigation can be made, and it shall be made to appear that such valuation was made in good faith.

APPROVED, March 3d, 1839.

[PUBLIC—No. 38.]

AN ACT making appropriations for the naval service for the year one thousand eight hundred and thirty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the following sums be appropriated for the naval service for the year one thousand eight hundred and thirty-nine, in addition to the unexpended balance of former appropriations, viz:

For pay of commissioned, warrant and petty officers, and of seamen, two millions three hundred and fifty-two thousand six hundred and twenty-five dollars and sixty-four cents.

For pay of superintendents, naval constructors, and all the civil establishments at the several yards, forty-four thousand dollars.

For provisions, six hundred thousand dollars.

For repairs of vessels in ordinary, and the repairs and wear and tear of vessels in commission, one million of dollars.

For medicines and surgical instruments, hospital stores, and other expenses on account of the sick, seventy-five thousand dollars.

For improvement and necessary repairs of the navy-yard at Portsmouth, New Hampshire, thirty-thousand dollars.

For improvement and necessary repairs of the navy-yard at Charlestown, Massachusetts, twenty-six thousand dollars.

For improvement and necessary repairs of the navy-yard at Brooklyn, New York, seven thousand five hundred dollars.

For improvement and necessary repairs of the navy-yard at Philadelphia, Pennsylvania, eight thousand dollars.

For improvement and necessary repairs of the navy-yard at Washington, twenty-six thousand dollars.

For improvement and necessary repairs of the navy-yard at Gosport, Virginia, sixty-four thousand dollars.

For improvement and necessary repairs of the navy-yard near Pensacola, twenty-five thousand dollars.

For ordnance and ordnance stores, sixty-five thousand dollars.

For defraying the expenses that may accrue for the following purposes, viz: for the freight and transportation of materials and stores of every description; for wharfage and dockage; storage and rent; travelling expenses of officers and transportation of seamen; house rent for persons when attached to yards and stations where no house is provided; for funeral expenses; for commissions, clerk-hire, office rent, stationery, and fuel to navy agents; for premiums and incidental expenses of recruiting; for apprehending deserters; for compensation to judge advocates; for per diem allowance to persons attending courts-martial and courts of inquiry; for printing and stationery of every description, and for

working the lithographic press; and for books, maps, charts, mathematical and nautical instruments, chronometers, models, and drawings; for the purchase and repair of fire engines and machinery, and for the repair of steam engines in navy-yards; for the purchase and maintenance of oxcart and horse, and for carts, timber-wheels, and workmen's tools of every description; for postage of letters on public service; for pilotage and towing ships of war; for taxes and assessments on public property; for assistance rendered to vessels in distress, for incidental labor at navy yards, not applicable to any other appropriation; for coal and other fuel, and for candles and oil for the use of navy yards and shore stations; for the repair of magazines or powder houses; and for no other purposes whatever, four hundred and fifty-thousand dollars.

For contingent expenses for objects not hereinbefore enumerated, three thousand dollars.

For pay of the officers, non-commissioned officers, musicians and privates, and subsistence of the officers of the marine corps, one hundred and seventy-four thousand three hundred dollars.

For the provisions of the non-commissioned officers, musicians and privates serving on shore, servants and washerwomen, forty-five thousand and fifty dollars.

For clothing, forty-three thousand six hundred and sixty dollars.

For fuel, sixteen thousand two hundred and seventy dollars.

For keeping the present barracks in repair until new ones can be erected, and for the rent of temporary barracks at New York, ten thousand dollars.

For the transportation of officers, non-commissioned officers, musicians and privates, and expenses of recruiting, six thousand dollars.

For medicines, hospital stores, surgical instruments, and pay of matron, four thousand one hundred and thirty-nine dollars.

For contingent expenses of said corps, freight, ferriage, toll, wharfage, and cartage, per diem allowance for attending courts of inquiry, compensation to judge advocates, house-rent where there are no public quarters assigned, incidental labor in the quartermaster's department, expenses of burying deceased persons belonging to the marine corps, printing, stationery, forage, postage on public letters, expenses in pursuing deserters, candles and oil for the different stations, straw for the men, barrack furniture, bed sacks, spades, axes, shovels, picks, and carpenter's tools, seventeen thousand nine hundred and seventy-seven dollars.

For military stores, pay of armorers, keeping arms in repair, drums, fife, flags, accoutrements, and ordnance stores, two thousand dollars.

For completing the hospital at New York, twenty thousand dollars.

For conveying Schuykill water to the naval asylum at Philadelphia, and for all necessary repairs, nine thousand seven hundred and sixty dollars.

For current expenses of the hospital and its dependencies near Norfolk, one thousand five hundred dollars.

For completing the hospital buildings at Pensacola, and building a wharf for landing the sick, four thousand dollars.

Sec 2. And be it further enacted, That it shall be the duty of the Secretary of the Navy, under the direction of the President, to make preparations for, and to commence the construction of three steam vessels of war, on such models as shall be most approved, according to the best advice they can obtain, or to complete the construction of one such vessel of war, upon a model so approved, as in the opinion of the President shall be best for the public interest, and most conformable to the demands of the public service; and that to enable the Department to carry into effect this requirement, a part of the sum already appropriated for the gradual improvement of the navy, equal to the sum of three hundred and thirty thousand dollars, shall be and is hereby directed to be subject to the disposition of the Department for this object, in case that amount can be diverted from that appropriation without a violation of existing contracts, and if that cannot be done consistently with the rights of contractors and the public interests, then so much of the said sum of three hundred and thirty thousand dollars as can be so diverted to this object, from the appropriation referred to, shall be subject to the disposition of the Secretary of the Navy for this purpose, and the residue of the said sum of three hundred and thirty thousand dollars shall be, and is hereby directed to be subject to the disposition of the Department for this object, in case that amount can be diverted from that appropriation without a violation of existing contracts, and if that cannot be done consistently with the rights of contractors and the public interests, then so much of the said sum of three hundred and thirty thousand dollars as can be so diverted to this object, from the appropriation referred to, shall be subject to the disposition of the Secretary of the Navy for this purpose, and the residue of the said sum of three hundred and thirty thousand dollars shall be, and is hereby directed to be 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KENTUCKY LEGISLATURE.

In the House of Representatives, Feb. 20, 1839.
A BILL, from the Senate, entitled, an act authorizing the South-western Railroad Bank to establish a branch in this State—was read the first time, as follows, viz:

Sec. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky, That the Railroad Company incorporated by the States of North Carolina, South Carolina and Tennessee, by the name of the Louisville, Cincinnati and Charleston railroad company, shall be called and known as a body corporate in all the States aforesaid, by the name of the Louisville, Cincinnati and Charleston railroad company; and that the corporators in said railroad company, shall form a separate body corporate, in deed and in law, for banking purposes in each of the States of North Carolina, South Carolina, Tennessee and Kentucky, as shall assent thereof and be called and known by the name of the South Western railroad bank, provided that the assent of not less than three of the aforesaid States shall be given thereto before the Bank shall have corporate existence.

Sec. 2. The said banking company shall be formed in the following manner, and be vested with the following powers, and subject to the following restrictions; that is to say: Each of the present stockholders, and every person who may hereafter become a stockholder, in the railroad company, until the capital shall be increased to twelve millions of dollars; or in the said bank, under the laws of either of the States of Kentucky, Tennessee, North Carolina or South Carolina, shall be entitled, for every share in the railroad company, of one hundred, to take or hold one share in the bank, of fifty dollars; so that the capital of said bank may, in the first instance, amount to the sum of six millions of dollars. The directors of the said railroad company shall cause books to be opened to the community at large, in the State of Kentucky, at all places where books were opened for the first subscription of stock in said railroad company, and such other places as the said directors may designate, by such commissioners as the directors may appoint, from ten o'clock in the morning to two o'clock in the afternoon of each day, for a period not less than thirty days, except Sundays, for the purpose of increasing the stock of said railroad company to twelve millions of dollars, and of receiving subscriptions to the said bank; and all persons who shall, at the time of subscribing, pay in specie, or the notes of specie paying banks, all such instalments as shall therefore have been called in by the railroad company, together with the first instalments of twelve dollars and fifty cents for the bank, shall, together with such stockholders as have or may become corporators under the laws of either of the States aforesaid, be a body corporate in the State of Kentucky, by name of the South-western railroad bank. If, on closing the books, the subscriptions shall have increased the bank capital beyond the amount prescribed by the charters of either of the said States, the subscriptions hereby directed shall be reduced ratably and in proportion to their respective amounts. And in case the subscriptions shall not reach the sum allowed by the said charters, books may be opened for subscription at any other time and place, by the directors of the bank, provided that new stockholders shall only be admitted by paying the same amounts, and incurring, in every respect, the same liabilities as at the time of their admission, have been paid and incurred, both to the bank and railroad company, by the original stockholders. And in all cases, the amounts subscribed and paid for the bank, shall be paid to the bank corporation; and the amounts subscribed and paid for the railroad, shall be paid to the railroad company.

Sec. 3. The president and directors already elected by the stockholders in the bank, shall serve for one year from their election; and annually thereafter, on such days as shall be fixed by the bank corporation, there shall be an election of thirteen directors of the bank, and those who are elected by plurality of votes, shall be capable of serving as such only, for one year, but shall be re-eligible. In case of death, resignation, or removal from office by the stockholders, of a director, his place may be filled by the other directors for the remainder of the year. In all meetings of stockholders of the bank, votes may be given in person or in proxy, on the same terms and according to the same scale as is prescribed for voting in person or by proxy in meetings of the railroad company except that no person shall act as proxy in the bank, unless he be a stockholder therein.

Sec. 4. But should the day of annual election pass without any election of directors, the bank shall not be thereby dissolved, but it shall be lawful on any other day, to hold and make such election in such manner as may be prescribed by a by-law of the bank corporation.

Sec. 5. The directors of the bank shall be resident citizens of the State, and stockholders of the bank, and, at the first meeting after their election, they shall appoint one of their number to be president of the bank; they shall appoint all of the officers of the bank, and the president, directors and cashiers of its branches, all of whom they may remove at pleasure; and may also, at pleasure, remove all the officers of the branches which shall have been appointed by the president and directors of such branches: Provided, however, that the president and directors so appointed, of the branch of the said railroad bank in this State, shall be stockholders in said bank, and resident citizens of this State. No director, or partner of a director, of another bank shall be a director of this bank, or in any other of its branches: nor shall any person act as a director who may be under protest in said bank as a drawer or endorser of any note, or bill of exchange, held by said bank, either for discount or collection, unless he shall prove to the satisfaction of a majority of the directors, that he has just and sufficient cause for refusing payment on the demand on which said protest may be found.

Sec. 6. The president and directors of the bank may call for a second instalment of twelve dollars and fifty cents upon the capital of the bank, as soon as they may deem proper, upon giving one month's notice thereof, by publication, in at least two news papers in each of the States assenting thereto; the subsequent instalments, they may deem necessary, provided, that similar notice be given, and the payments at least sixty days in advance; and provided also, that no calls for any instalment, subsequent to the two first, shall be made until an amount equal to such call shall have been previously called in by the railroad company, and shall have been actually expended in constructing the railroad, or shall be necessary to meet contracts actually made on account of the same. When the instalments paid in for the capital of the said

bank shall amount to six millions of dollars, the capital shall not be further increased, until six millions of dollars shall have been actually called in, and expended on the railroad; after which, the capital of the bank shall be increased only by calling for instalments, equal in amount to those which may be called for by the railroad company, until the said capital shall reach the limit of twelve millions of dollars; provided the capital of the bank shall not exceed six millions, until the railroad shall have been extended to the State of Tennessee, and that it shall not exceed nine millions, until it shall be extended to the southern boundary of Kentucky, and that it shall not be increased to twelve millions, until it shall be extended to Lexington, in Kentucky; provided, also that any instalment shall not be paid when called for, shall, with all the payments made thereon, be forfeited to the bank; but such defaults shall not induce a forfeiture to the corresponding railroad shares.

Sec. 7. The board of directors of the railroad, and of the bank, shall, also, be distinct and separate. The bank shall never be liable for the debts of the railroad company, but the railroad company shall be liable for the debts of the bank in case of failure, except that shares in the railroad, which have no corresponding shares in the bank shall not be liable to the debts of the bank.

Sec. 8. The president and directors of the bank shall make up, annually, a full statement of the affairs thereof, as they may stand on the first day of October, and also, of the affairs of each of the branches on that day, as rendered to them by the president and directors of such branch, and shall send one company thereof, certified by the president and cashier, to each of the Governors of the said States, to be laid before their respective Legislatures.

Sec. 9. The mother or principal bank shall be located at Charleston; and the said bank may establish branches or have agencies thereof in any State, with the consent of the Legislature thereof. And it is hereby declared that the said bank shall not have corporate existence, unless two of the States of North Carolina, Tennessee and Kentucky, shall consent to the establishment of branches therein.

Sec. 10. The bank shall never issue any note, or draw a check which is payable to order or bearer, of a less denomination than five dollars, until the road is completed, nor less than ten dollars, after the completion of the said road; nor shall it ever put in circulation notes payable to order or bearer to an amount exceeding double its capital; and in case it shall not redeem its notes in current coin of the United States, when demanded at the bank or branch where such notes are payable, such notes shall thenceforth bear interest at the rate of twelve per cent, per annum; and for such failure and refusal, by the branch located in Kentucky, to redeem their notes and other liabilities in gold or silver coin when demanded, the General Assembly may order a *scire facias* to be sued out from the General Court, and a judgment of a forfeiture, of the charter granted by this State, declared.

Sec. 11. Neither the bank or its branches shall lend money on the pledge of its own or the stock of the railroad, until three fourths of the capital of the railroad company shall have been paid in, and then only to one half of the said stock; and the Bank shall never permit the railroad company to overdraw.

Sec. 12. Each branch of the said bank shall be an office of discount and deposit; it shall have a board to consist of a president and not less than six directors, with a cashier, and such other officers as the business of the branch may require. The board shall conform to all orders it may receive from the president and directors of the bank, and shall possess such powers as the said president and directors may confer on them, consistently with this charter.

Sec. 13. And the said corporation, by its name and style aforesaid, shall be and is hereby made capable, in law, to contract and be contracted with to sue and be sued, plead and be pleaded, answer to be defended, in all courts and places, as natural persons, with full power and by authority to acquire, hold, possess, use, occupy and enjoy, to sell, convey and dispose of all such real estate, goods, effects and chattels, as shall be convenient for the transaction of its business, or which may be conveyed to said bank as security for any debt, or which may be received in discharge of any debt, or purchased in satisfaction of any judgment in favor of the bank, or in the purchase of any property on which the said bank may have a lien; also, to have and use a common seal, and the same to break, alter and renew, at pleasure; to discount promissory notes at the rate of interest not exceeding one per cent, for sixty days; to deal in exchange, gold and silver bullion, and to discount bills of exchange; and said bank shall not, directly or indirectly, deal or trade in any thing except loaning money at the rate of interest aforesaid, and in exchange, and in gold and silver bullion, or in the sale of goods, chattels, rights and credits, really and truly pledged for money lent and not redeemed in time, or goods, the proceeds of its lands; and also to ordain, establish, and put in execution such by laws, ordinances and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws of the said States, or of the United States, or the constitutions thereof, and generally to do and execute all and singular such acts, matters and things, as may be deemed necessary and proper for the good government and management of said corporation, and subject, nevertheless, to such regulations, restrictions, limitations and provisions, as are hereby prescribed and declared.

Sec. 14. That the total amount of debts which the said corporation shall at any time owe, shall not exceed twice the amount of its capital stock paid in, exclusive of the amount of money then actually deposited in the bank for safe keeping; and in case of excess, the directors, under whose administration such excess shall happen, shall be liable for the same in their private and individual capacities, and an action may, in such case, be brought against them, or any of them, their, or any of their heirs, executors or administrators, in any court having competent jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution, any condition, covenant or agreement to the contrary notwithstanding; but this shall not be construed to exempt the said railroad company, or the said bank, or the lands, tenements, goods or chattels of the same, from being also liable for said excess; and such of the said directors as may have been present when such excess was contracted or contracted, or such as may have dissented from the resolution or act whereby the same was contracted or contracted, may, respectively, exonerate themselves from being thus liable, by forthwith giving notice of the act and of their absence, or their dissent,

to the stockholders, at a general meeting to be called for that purpose.

Sec. 15. That dividends shall be made, at least twice in every year, by the said corporation, of so much of the profits of the said bank as shall appear to the directors advisable; and once in every year the directors shall lay before the stockholders, at a general meeting, for their information, the amount of surplus profits, if any, after deducting losses and dividends.

Sec. 16. That no officer of said bank, other than a director, not being present, shall be permitted, either directly or indirectly, to carry on the business of trade or merchandize, factorage, brokerage, vendue, or the exchange of money or bills for profit; and every such officer, so trading, shall be removed from office by the directors, and shall not be re-eligible to any office in said bank or its branches. That no director, or any other officer of the said bank, shall, directly or indirectly, receive any compensation for any agency, for negotiating any business and its branches, in procuring discounts, renewing notes, or receiving moneys for individuals, or notes discounted; and any such director, or other officer, thus receiving compensation, shall be removed from office, and disqualified from thereafter holding any office, in said bank or its branches.

[TO BE CONCLUDED.]

KENTUCKY GAZETTE.

LEXINGTON:
THURSDAY, MAY 30, 1839.

FOR PRESIDENT,
MARTIN VAN BUREN.
FOR VICE PRESIDENT,
RICHARD M. JOHNSON.

We are authorised to announce JOHN C. MAISON, Esq., as a candidate to represent the county of Bath, in the next house of Representatives.

An article appeared under the Editorial head in the last Gazette, which we did not observe until the paper was issued, which would seem to point especially to two of our very worthy mechanics, to the exclusion of others in the same line of business. Although the ware-rooms of Mr. Mathers and Mr. Dimick, exhibit fine samples of cabinet ware, they are not superior to those of Mr. March, (who has probably much the largest stock in Lexington,) or of Mr. Milward. In all these rooms there is much of taste and elegance to gratify all who may be disposed to call.

THE CROPS—THE SEASON.—From all parts of the State, and, in fact, from the whole country, the accounts are most favorable as to the abundant appearance of the approaching harvest. It is true, from Alabama and Tennessee we have accounts of great destruction by the *army worm*; but by ditching, and turning the hogs upon them, their ravages have been measurably stopped. The prospect for corn, hemp, and every vegetable production, is said never to have appeared more favorable. And if our farmers would be convinced that the rearing of those articles are much more important to the prosperity of the country than the manufacture of bank notes, then indeed it might be said that our beloved country was in a truly prosperous condition.

Last week the weather was unusually hot for the season—the Mercury ranging from 80 to 87 degrees. On Sunday evening refreshing showers of rain commenced, accompanied by thunder and lightning, which continued, with intermissions until about 12 o'clock on Monday, when the wind changed, coming from north-west—the clouds dispersed, and by 5 o'clock on Tuesday morning, the Mercury had fallen to 55.

On Sunday night the dwelling house of Richard Pindell, Esq., between two or three miles from Lexington, was struck by a severe flash of lightning, and the roof was considerably injured, and although the family were all in the building, we are happy to say no person received even a shock from the electric fluid.

The expense of a lightning rod is very trivial, and no building should be left unprotected by the genius of the immortal Franklin.

COL. JOHNSON.—It seems, after all, that this gentleman is desirous of being considered a candidate for re-election to the Vice Presidency. Consequently numbers of the loco foco papers have placed his name upon their flags. If we mistake not, this is the harbinger of some little disaffection in the ranks of the administration. But the Kinderhook statesman has too much tact to permit this trouble to interfere, materially, with his well digested plans. Many of the eastern papers had quietly settled down upon Mr. Forsyth as the Colonel's successor, but the Georgia gentleman's ambition must perforce, submit to the curb. Cannot he be reconciled by the offer of a seat in the cabinet, or something of that character?

The foregoing is copied from the "Cincinnati Republican," once entitled to the appellation, from its supporting republican principles, but having sometime since abandoned them and joined the Conservatives, and since that time been a "shining light" to the Whigs. We would ask the learned and observant editor of this paper, what seat in the Cabinet he would select for Mr. Forsyth? Is he not now "in the line of safe precedents?" or who is Secretary of State? He should certainly enlighten his readers on the latter subject.

An article appeared in the Lexington Intelligencer of Tuesday last, under the Editorial head, the object of which could not be mistaken. We allude to that headed "ARKANSAS BOXES," &c. That the object was to injure Col. Johnson, the Vice President, there can be no doubt. Arkansas the Democratic State, which is represented as having suffered, has never been a favorite with the Whigs; then why any sympathies for her? But take the account as represented by the Intelligencer, and where is any dereliction of duty on the part of Col. Johnson? It is stated that the Col.

borrowed from the Arkansas agents \$30,000, and executed a mortgage upon 40 slaves, besides lands to secure the payment—the agents of Arkansas, failed to have the mortgage recorded, and it would seem that Col. Johnson is held responsible for the dereliction of duty on the part of said agents!

Is it sinful for an individual to borrow money? If it is, we should advise most of the Whig editors to come to the confessional, and ask absolution.

According to the showing of the Intelligencer, Col. Johnson has done all that was expected of him, and no censure whatever can attach to him in the transaction; and we are confident that no such tale can, in the smallest degree, shake the confidence of the democracy in the integrity of Col. Johnson.

Our neighbor of the Intelligencer is in a truly pitiable condition. With all his ambition to be considered the oracle of Mr. Clay, that however, has not been awarded him by any of his contemporaries, but has universally been given to the Observer and Reporter. In fact, one of his Whig friends, (The New York Express) has charged him with publishing the leading loco-foco paper in Kentucky, and of being particularly favorable to the re-election of Col. Johnson to the Vice Presidency!

Capt. JNO. W. FORDIS was elected to the City Council, on Saturday last, the 25th, in Ward 2d, to fill the vacancy occasioned by the resignation of H. I. BODLEY, Esq.

The gentleman who delivered it, has asked of us the insertion of a long speech in the Kentucky Gazette. It would cost us about twenty dollars to have the speech put in type, and as the author contributes nothing to the support of our paper, he will not deem it unreasonable that we should decline his request.

The Observer and Reporter of yesterday occupies near two columns in republishing, from James Watson Webb's veracious N. Y. Courier and Enquirer, a report on the trial of the late Postmaster, Mr. Gouverneur. The account as given in the Observer, was published pending the trial; and justice to the government, and to the memory of our late fellow citizen, William T. Barry, would seem to have required, that the result of the suit should have been given in the same paper. But there is something in Whiggery which does astound the liberal part of the community. Any tale, however untrue which appears calculated to injure or disgrace their own government, is eagerly sought for and diligently promulgated.

The Observer could have said, and as an honest chronicler should have said, that the jury who tried the cause, composed of six Federal Whigs, five Democrats and one conservative, found a verdict in favor of the United States, against Mr. Gouverneur for upwards of TWENTY THOUSAND DOLLARS! But this would not have subserved the purpose for which the articles were published.

What right has a party that resorts to such means to expect the confidence of an honorable community.

The following presentment was received for publication in its proper season, but was laid by, and not again thought of until the editor was reminded by the communicant that its insertion had been neglected. We profess not to understand the full merits of the communication; but those who do may be able to appreciate them.

[For the Gazette.]

LANCASTER, KY. April 20th, 1839.
The Democrats for the fifth Congressional District, good and honest men, assembled at the court-house out of the body of Garrard county, upon their oath, present: That whereas at a Circuit Court holden in and for the county of Garrard, at the March term one thousand eight hundred and thirty-nine, a number of Democrats were assembled and pledged themselves, that they would true presentment make of all such things as should come to their knowledge; and whereas, on the first day of the term in the year aforesaid, S. H. ANDERSON, of the county of Garrard, *Wing Yeoman*, voluntarily arose before the hon. Democrats, then and there assembled, and who had lawful authority to take cognizance of certain matters and things pending before the Democrats of the fifth Congressional District; and whereas, the said S. H. ANDERSON, not having the fear of the Democrats before his eyes, but being moved and seduced by the Devil and the Whigs, and not regarding the laws of Democracy, but contriving and intending to prevent the prosperity of the Administration, did, of his most wicked mind, wilfully, knowingly, and corruptly, denounce the principles of the Administration, in the form and manner following, that is to say: that he, S. H. ANDERSON, if elected to the Congress of the U. S. would go "for a National Bank, Bacle or Denial." An intimation of this sort he viewed as the only saviour of the commercial world. He goes into Congress with the vain hope that one single blast of his trumpet will bring about the resurrection of a monster, and kill the resuscitated monster. He then and there avowed his determination to oppose all treasury schemes principle or sub; and to give his picture the darkest shade, he pursued Swartwout, Price & Co. to the Heritage, to the land of Queen Vic. all to prove the reckless success of the Administration, and that a few more such treasurers would leave Van Buren a cowering Nigger.

He then and there opposed every other prominent measure of the Democratic party. And, not having the fear of Billy Harrison before his eyes, he then and there said that he viewed HENRY CLAY as the Star of Bethlehem and the only man that can save our country from impending destruction. He therefore goes into Congress like a red hot thunder bolt, advocating the claims of Henry Clay. These things he did then and there say, to the great displeasure of the Democrats, in contempt of the principles which they advocate, to the evil and pernicious example of all other Whigs, and contrary to the peace and dignity of the Administration, in such case made and provided.

T. JEFFERSON,

Attorney for the Democracy.
This indictment is found on information of an eye-witness, not of the Whigs.

A few weeks since, the editor was in Nicholasville, when a gentleman placed in his hand, for publication, an original letter, which he assured us was actually written and sent to the person to whom it is directed. Having neglected to place it in our "copy drawer," the request of our friend has hitherto been neglected. With the omission of names, we now insert the letter, *verbatim et literaliter*:

"Sir—I received your note on the twenty third inst which contained such insult and degradation. Making to me, that if I felt my self injured or a grieved I had

better demand satisfaction in some way that I thought would be on equal grounds you know we are both married men and each have families and it would be an awful thing if both or either of us should fall in a combat unlawful as jelling is yet sir my honor and bravery is not to be tampered with in this manner I therefore demand at your hands satisfaction by giving me a battle which nothing else can satisfy me

I propose on my part, the plan the weapons to be used and the stational distance of us the contending assailants I propose to meet you on the Kentucky river a short distance below the mouth of Hickman creek, on any given day you may fix a pon being all ways ready myself I propose that each opponent be stationed the one on the south side of the river on the top of the pillow now constructing for a bridge the other on the North side of the river on the top of the pillow opposite each other and at any giving our within the named day that you may sit for the combat

the above positions being this out of one county or the other so that the law cannot have effect on one nor the other should we or either of us be saved alive I now propose the weapons with your consent to be used on the occasion that each be provided with bows and arrows a buoy knife a good squirt constructed either of cane or elder and to have as may suit either of us I am on the hunt of an elder for my one use the largest I prefer

I further propose that there be one or two selected for the purpose of observing promptness and regularity in the conflict that individual stationed central between us provided with a good scift a horn for each charged with cognac brandy he to be anchored in the centre and under the immediate fire of the contending parties and that when either should be dissatisfied with the distance that the one so dissatisfied or both of them are at liberty to leap from these respectful stations and dive at the stations of the horns and then close the contest by mutual consent or by strife

I further do propose that each be provided with an attendant to dress the wounds that may be sustained on the occasion and also a water carrier to supply our necessities when in full operation and that before the contest shall grow in effect that each party have provided a large tub filled with water for the commencement and kept up until each one are satisfied

On my part I chose Sam Scithers as he is in that habit and in practice of carrying water for my carrier—a's dry to be provided with a large scift of water of the water that may be drawn on more you—I had better provide for yourself with your attendance for if you are willing end will meet me there the people will assemble largely of which I have no objection to all that wish to see the fight to attend Provided they will not crowd on our charge de affaires of line of battle where they may expect a heavy shower

No mock s but be pun tual on my part I choose Colonel— to command the fleet in this action yours

A WORD TO OUR CITY AUTHORITIES.

From the great profusion with which they levy taxes to make donations, it is presumed they must have plenty of funds for all necessary *Internal Improvements*; but why, we ask, why is this neglected. In one of my morning's peripatations, I witnessed trials made at four *pumps* on main-street, and all four were as dry as the number of powder horns dug to the top. Think I to myself, we should be in a bad row for stumps if a fire should break out. I would therefore just ask the City Council if they had not better import

A PUMP MAKER.

QUERIES—TO THE CITY AUTHORITIES.

1st. Did not the citizens of Lexington, (I mean those of the north end of the City,) build by subscription a market-house in the said lower end of the City?

2d. Did not the dignitaries then in office take possession of said market-house?

3rd. Did they not shortly afterwards, lease the said market-house, thus built by subscription, to the Lexington and Ohio railroad company?

4th. Has not that aforesaid market-house alias ware-house, been converted into a stable? is it not laid off—at least a part of it) into stalls for horses? and is it not now used as a stable?

5th. If it is a fact that this market-house, alias ware-house, alias horse-stable, built by private subscription, for no other purpose than a market-house, and taken possession of by those then placed in a "little brief authority," and rented by them at a very small sum per annum for a railroad ware-house, if, I say, the market house, alias ware-house, is thus turned into a horse stable, does not this act cancel the lease, and should not the aforesaid market-house revert to the citizens to be by them used as a market-house, for which it was first built? These questions are asked by one of those aggrieved. A FROG.

The subjoined paragraph is one among the many proofs of the inflexible severity with which the criminal laws of England are enforced.

The person imprisoned for participating in the Wimbeldon duel, and who were sentenced to twelve months imprisonment in Guilford jail lately petitioned for certain indulgences, such as having milk for breakfast instead of gruel—permission to read the daily papers, and more unrestricted intercourse with their friends. The court refused the application on the ground that the previous station held in society by the prisoners, offered no sufficient alleviation of the punishment due to their crime.

ITEMS FROM OUR FILES OF ENGLISH PAPERS.—Sir Walter Scott, for the whole of his writings, now comprised in eighty volumes, received not less than £250,000.

Mr. Macaulay, Dr. Southey, Sir John Barrow, and other eminent men, have received at times one hundred guineas for a single article in the Quarterly and Edinburgh Review.

The negro population of Africa is supposed to amount to very near a hundred million; in America the negro race may be taken at eight millions, the European at twenty—Quarterly Review.

CONNECTICUT U. S. SENATOR.—The Hartford Court says that the Hon. Denis Kintlerley, United States Senator, has resigned his office on account of ill health. It will devolve upon the Legislature now in session to fill the vacancy.

It is stated in the N. York papers, that Wm. Leggett, Esq. late of the Evening Post, and the Principal, has been appointed Charge des Affaires to Guatemala. Pennsylvania.

As the locomotive was passing a bridge over the Railway, N. J. on Wednesday the 1st, two boys who were playing in the neighborhood perceived that the bridge took fire. One of them proposed to let it burn! The other brought water in his cap, and extinguished the fire. The Directors of the Rail Road Company voted the latter a suit of clothes.

Garlic.—The Hungarian jockeys frequently tie a clove of garlic to their racer's bit when the horses that run against them fall back the moment they breathe the offensive odour. It has been proved that no horse will eat in a manger if the mouth of any other steed in the stable has been rubbed with this plant. I had occasion to ascertain this fact.—A horse of mine was in the same stable with one belonging to a brother officer: mine fell away and refused his food, while his companion thrived, uncommonly well. I at last discovered that a german groom, who had the charge of the prosperous animal, had recourse to this vile stratagem. It is also supposed that men who eat garlic knock up upon a march the soldiers who have not made use of it. Hence, in the old regulations of the French armies, existed an order to prohibit the use of garlic when troops were on the march.

Lexington Fire, Life, and Marine Insurance Company.

CHARTERED by the Legislature of Kentucky in March last. CAPITAL \$300,000 DOLLARS.—This Company will insure Buildings, Furniture, Merchandise, &c., against Fire, in Town or Country, by Steam, Keel and Flat Boats, and their CARGOES.

It also insures LIVES, for one or more years, or for life. The owners of Negro Men, Slaves employed in Factories, or on Farms, will find it to their advantage to call.

The following are the officers chosen by the stockholders:
JOHN W. HUNT, President.
WM. S. WALLER, JACOB ASHTON, M. C. JOHNSON, DANIEL VETTER, THOS. C. ORRICK, H. H. TIMBERLAKE, A. O. NEWTON, Secretary.

ALVAN STEPHENS, Surveyor.
Lex. May 7, 1838 21-1f

FRESH GROCERIES.

THE undersigned are now receiving, direct from N. Orleans, 60 India, Java Sugar, 130 Sacks Rio, Havana and Java Coffee; 80 Boxes Halves and Qrs. M. R. Raisins; 20 Qr. Casks Sweet Malaga Wine; 25 Bbls. Lf. Sugar;

Together with a general assortment of GROCERIES, which they offer for sale at the lowest rates.

CARTY & COOK,
No. 16, corner of south upper and water sts.
Lex March 12—11-1f Int. & Obsr. insert.

DOCTOR S. W. KILPATRICK,

HAS located himself on the Tatos Creek road, where it crosses East Hickman, about 8 miles from Lexington, where he tenders his services as a

Practitioner of Medicine,

More particularly in Obstetrics and the Diseases of Women and Children.
Lexington, Feb. 7, 1839. 6-1f.

JOHN M. McALLA,

Attorney at Law.

WILL practice in the Fayette Courts. The collection of non-residents' claims promptly attended to. His Office is on Main street, in the front rooms over the Tailor's shop of Mr. Thomas Rankin, opposite to the Lexington Library.
Lexington, K. Nov 28, 1838—48-1y

SCIENTIFIC ESTABLISHMENT

J. S. GOINS,

PROFESSOR of Shaving and Hair cutting, returns his grateful thanks to the citizens and public, for the liberal encouragement he has received since he commenced business in Lexington, and he hopes by his personal attention to business to merit a continuance to their patronage.

His College is on Main Street, near the Phoenix Hotel, and immediately opposite the Gazette Office, where he delivers lectures, on shaving and hair cutting, from daylight until 10 o'clock at night.

A single lecture on shaving, 124 cents
Do. hair cutting, 25 do.
In front of his lecture room is his Fancy Store where among other things he has the following articles: Gentlemen's Wigs, Toupees and Whiskers, Shirt collars, Bosoms, and Suspenders, Hair, Cloth, and Shaving brushes, Razors and Razor straps of a superior quality, Tobacco and Cigars, Ladies plain and long braids, curls, &c. French and English soaps, Hair pins, and ringlet curling Tongs.

With a great many other articles in his line of business. Immediately back of his Lecture Room is his Bath-House, in complete order, and will be opened on the first of May for the season. The price for a single bath 25 cents, or five tickets for a dollar.
Lexington, May, 9 1837—19 6w

T. M. HICKEY & W. B. REDD,
ATTORNEYS at Law and Barristers, will, in future, practice in association. Their Office is on Main Street, between Frazier's corner and Biennan's Hotel.
Lex., April 19, 1838 16-1f

SPUN COTTON,

WARRANTED of the very best quality, of any size, from 500 to 1000, will be given in exchange for any quantity of GO-P (ORN AND WHEAT, say from one bushel up, to suit the convenience of the farmer I will, likewise, give CASH FOR WHEAT.

A. CALDWELL.
August 23, 1833 34-1f

E. Perkins's Tavern,

THE Subscriber respectfully informs the public generally, that he has taken the stand, formerly occupied by David Megowan, and more recently by Wm. Stoops, at the corner of Water and Mulberry streets, opposite the upper end of the Market House, and hopes by attention to business to receive a liberal share of public patronage.

HIS BAR IS WELL FURNISHED,
TABLE GOOD, BED ROOMS COMFORTABLE, HORSES WELL ATTENDED TO;

And being well known himself through the State, he will not here make promises, but trusts that his endeavors to please will be crowned with success.

DAY AND WEEKLY BOARDERS well accommodated, on reasonable terms.

E. PERKINS.
N. B. I would inform the public that I am prepared with SCALPS FOR VEILING WAGONS and THEIR CONTENTS, where I will be happy to wait on those having weighing to be done.
Lexington, Nov 29, 1838—48f

FEMALE CORDIAL OF HEALTH.

THIS invaluable preparation is a medicated Wine, pleasant to the taste, grateful to the stomach, and eminently tonic in its effects. Its highest and best quality is in its specific and curative effects on female weaknesses.

Very many of the wives and mothers among us are condemned to untold suffering, by diseases arising from local and general debility; and because they find no relief from the strengthening remedies in common use, they are too often given up by the Faculty as incurable. Weaknesses, as well as the pains in the back and limbs, with which such females are afflicted, will all yield to the sovereign and infallible effects of this CORDIAL OF HEALTH. And for the weaknesses consequent upon the obstructions and irregularities to which unmarried and young females are subject, there can be no remedy in the whole Materia Medica, which combines such innocent and curative virtues.

Prepared by Edward Prentiss, sole proprietor, and sold by Daniel Bradford, at the Office of the Kentucky Gazette, Lexington.

JABEZ BEACH,

AT his Coach Repository, has now on hand a COACH equal to any in the State, and four very fine COACHEES, CHARIOTS, BAROUCHES and BUGGIES, all of the first quality, manufactured at New-Ark, New-Jersey, which will be sold on a Carriage of any description, can by giving an order, have the same forwarded from the manufacturers at New-Ark, free of commission.
Lexington, Sept. 15, 1836—55-1f

Plough Making & Black-smithing.



THE Subscriber respectfully informs their friends and the public generally, that they have purchased the well known establishment, formerly belonging to Mr. William Rockhill, and are now prepared to furnish all articles in their line, on short notice. **THE PLOUGH-MAKING** Business will be continued in all its branches, and a good assortment of the latest improved Ploughs kept constantly on hand. Old Ploughs repaired with neatness and dispatch.

WM. P. BROWNING, JOHN HEADLEY,
UNDER THE FIRM OF **BROWNING & HEADLEY.**
N. B. We wish to employ a first rate Plough-Stocker, or Wagon Maker, to whom constant employment will be given. Also—2 or 3 Apprentices in the Smithshop, of respectable parentage, and who can come well recommended.
Lex Sep 7—53-1f

KENTUCKY STEAM HAT FACTORY,

No. 38, West Main-Street, corner of Main-Cross St.,
LEXINGTON, KENTUCKY.

WILLIAM F. TOD,

[SUCCESSOR TO BAIN & TOD.]

CONTINUES in successful operation his unequalled facilities in the application of STEAM AND MACHINERY to the Manufacture of Hats, which he hopes will at all times enable him to supply his customers and all who may desire to purchase, either at WHOLESALE OR RETAIL, with every variety of **Fur and Silk Hats.**

The most desirable and fashionable article the market affords.
Just received, the Philadelphia and New York Winter Fashions for 1839 and 9, for Gentlemen's Hats
December 27, 1838 52-10th10th



TINNING! TINNING!

James Burch & J. C. Noble,
Have entered into a Co-partnership in the above business, and taken the stand lately occupied by E. S. Noble, dec'd, on HUNT'S ROW.

They have on hand a Large and Good assortment of **TINWARE,** which they will sell at WHOLESALE OR RETAIL, on good terms. Country Merchants will do well to call.

HOUSE-GUTTERING, will be made to order, of the most substantial materials, and put up, in Fayette and the adjoining counties, on the most reasonable terms.

Mending of Oil and other Lamps, and, in fact, ALL KINDS of ornamental house furniture in their line, will be neatly executed.

They have on hand a few of the NEWLY INVENTED **WOOD AND LABOUR SAVING COOKING STOVES,**

Of various patterns, which can be heated for all the ordinary purposes of cooking, for 12 months, with 2 and one-tenth cords of wood.

They can insure their work to be done in the best style, as they have procured the services of a First Rate Eastern workman, and one of the firm (Mr. Burch) will superintend the business of the establishment. They invite their friends and the public to give them a call.
Lexington, Jan. 8, 1839.

TO HEMP MANUFACTURERS.

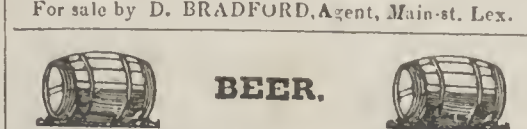
THE subscriber has invented a **HEMP HECKLE,** which may be put in operation by any power. The Hemp and Tow are put in good order with very little labour. Any person wishing information on the subject are referred to William Alexander near Paris, who has one of my Heckles in operation though not yet completed. The machinery is simple and durable. Any person endeavoring to make a machine of the above description, without permission, will be treated as they deserve. Communications addressed to the subscriber in Shelbyville, will be promptly attended to.
FOSTER DEAMSTERS.
October 4, 1833 40-1f

Boot and Shoe Manufactory.

R. OWENS most respectfully informs the citizens of Lexington and the public generally, that he is now receiving, and intends to keep constantly on hand, a large assortment of **DOUBLE SOLE FRENCH BOOTS**—and also a large lot of **CORK** suitable for manufacturing **Cork Sole Boots and Shoes.** Also, a large assortment of coarse **Men's and Children's** Brogans, all of which he will sell as low for Cash, as any other house in the city. He invites the public to call and examine his stock, as he feels confident they cannot be surpassed.

RICHARD OWENS,
Main street, opposite Brennan's Hotel.
N. B. In addition to his Eastern and French work, he would inform the public that every description of **BOOTS and SHOES** are manufactured on the shortest notice and most favorable terms.
Lexington, Dec 13, 1838—50 1f

NUMEROUS LATE, HIGHLY IMPORTANT, and unquestionable testimonials from the first men in our country, proving beyond a doubt that the much talked of Matchless Sanative is indeed "A PROVINCIAL DISCOVERY FOR THE BENEFIT OF THE HUMAN FAMILY." may be seen at the General Depository, Boston, or by calling on any of the many thousand Agents throughout the country.
For sale by D. BRADFORD, Agent, Main-st. Lex.



BEER. LEXINGTON BREWERY,

West Main-Street, opposite Jefferson-Street.

THE Proprietor of the Lexington Brewery here leaves to inform his old customers, and the lovers of MALT LIQUOR in general, that his Brewery is now in a full state of operation, and that every exertion in his power will be used to support the high reputation he has acquired for the manufacture of

PORTER, ALE AND BEER.

He returns thanks to his old customers for their liberal patronage, which has enabled him to stop all IMPORTATION, and circulate that CAPITAL in our city and vicinity, which has been for so many years past, distributed in FOREIGN MARKETS.

His BEER season commenced on the first of September. Orders from the adjacent towns will be attended to. Distillers will be furnished with Malt and Hops, and Farmers supplied with Fall and Spring Barley Seed.

JOHN R. CLEARY.
Lexington, Nov. 15, 1838.—46-6m

LEXINGTON HOTEL,

(RECENTLY OCCUPIED BY COL. J. KEISER.)

THE subscriber having taken the above establishment is prepared to accommodate a large number of Boarders and Travellers. The rooms are being to a considerable extent refurnished, and several new ones have been added. Every exertion will be made to render this establishment worthy the attention and patronage of the public. The Stables are of the best kind, and will receive particular care and attention.

The notes of good Banks in the Southern States, will be received at par from persons residing in those States.
B. W. TODD.
Lexington, April 12, 1839. 16-1f

Plate, County, Corporation & Company SEALS.

THE Subscriber is prepared to execute all orders in the above line, with neatness and despatch, at his Watch and Jewellery Establishment, No. 27, Main-st., opposite Brennan's Hotel.
FRANKLIN THORPE.
April 4, 1839. 14-1f.



Fayette Fashionable Cabinet & Chair WARE-ROOM,

1st and 2nd Stories—No. 17, East Main Street, LEXINGTON, KY.

THANKFUL for the very liberal encouragement I have met with since I commenced the above business, I take this means of informing my customers and the public generally, that having purchased a large and commodious house, suitable for the accommodation and exhibition of the extensive stock of

Cabinet Ware, Chairs, Mattresses, Blinds, and other articles in my line, which it is my determination to keep constantly in store, I am now prepared to offer the greatest inducement to those who favor me with their patronage. I am permanently located in Lexington, and I am confident I can give entire satisfaction to purchasers. The stock at present on hand consists in part of **Splendid Spring-seat Sofas, Mahogany Bureaus, Sideboards, Secretaries, Wardrobes, Pier & Dressing Tables, with and without Marble Tops.**

The assortment of CHAIRS is very large, and various in style and quality, and at reduced prices. I will fill in the most speedy manner possible, all orders of the above named articles, as well as every thing pertaining to the UPHOLSTERING BUSINESS; besides which, I have **VENETIAN BLINDS,** of the most approved style at moderate prices.

Furniture delivered in all parts of the city without charge to the purchaser.

Funeral calls will meet prompt attention. In the second story of my establishment I keep every variety of the finest finished Furniture, and I solicit a call from the public whether they wish to buy or not.
JAMES G. MATHERS.
March 21, 1839—12-1f.

Horace E. Dimick's Cabinet Ware-Room, No. 15, Hunt's Row.

THE Subscriber respectfully informs the citizens of Lexington and its vicinity, that he continues to manufacture **FURNITURE** of every description, and as good quality as is made in Lexington or elsewhere. His stock at present is not so large as it might be, though he has some specimens of his fine work as can be produced here or abroad, for the same price.

For a description of the articles, and their names, I will refer to the long advertisements of some Chairmakers and Upholsters.

Purchasers from a distance can have their Furniture well and securely packed. Terms of sale favorable.
HORACE E. DIMICK.
Lexington, July 11, 1838 29-1f

Venetian Blinds and Mattresses.

IN addition to my **CABINET FURNITURE,** I am now prepared to fill all orders for **VENETIAN BLINDS AND MATTRESSES.** Persons wanting articles of this kind will do well to call before they buy elsewhere.
HORACE E. DIMICK.
January 3, 1838 1-1f No. 15, Hunt's Row.

CABINET WARE-ROOM.

THE subscriber respectfully informs his customers and the public generally, that he continues the **CABINET MAKING BUSINESS** at his old stand on Main-street, immediately opposite the lot on which the Masonic Hall formerly stood, and a few doors below Logan's corner, where all articles in the way of **FURNITURE** can be had on as good terms as they can be elsewhere procured in the city. He invites all those wishing to purchase articles in his line, to call at his Ware-Room and examine for themselves, as he is determined to sell hereinafter.

Having provided himself with a **FURNITURE WAGON,** all articles bought of him will be delivered anywhere in the city, free of charge.
JOSEPH MILWARD.
N. P. I am prepared with a HEARSE, and will attend to Funerals calls, either in the city or country.
Lexington, Sept 5, 1838 36-1f



LEXINGTON FASHIONABLE AND GENERAL FURNITURE ESTABLISHMENT.

THANKFUL for the very liberal support which I have received for the last seven years that I have been in business, I would inform my friends and the public, that I still carry on, at my old stand, on Lime-stone street, 2d door above the Jail, and having an immense large stock of

Furniture, Chairs, Blinds, Mattresses, &c. On hand, of the latest fashions and best quality, prepared for the spring and summer sales, and wishing to increase my business to double what it has been, I have reduced my prices lower than they have ever been in this city, and I think sufficiently low to compete with any Western, if not Eastern city. Call and see, and if I do not sell cheap, then tell me of it. For specimens of my work, I would refer the public to some of the most fashionable houses in the City, and to my extensive Ware-house. As usual, I will deliver any thing that I sell anywhere in the city, in good order, and free of charge.

All kinds of Upholstering will be attended to at the same reduced price.
P. S. I am prepared to attend funeral calls at any hour or place.
JAS. MARCH.
April 4, 1830 14-1f

Wool Carding.

THE subscriber, thankful for past favors, respectfully informs his customers, and the public in general, that he still continues to carry on the

WOOL CARDING & SPINNING,
At his old stand, upper end of Main Street, and he is now in complete operation. Wool from adjoining counties carried immediately.

He still continues to **COLOR and WEAVE CARPETING.**
CARPETS and JEANS kept constantly on hand for sale, or exchanged for **Wool or Wood.**
ISAAC SPRAKE.
Lexington, May 2, 1839. 2m-18

NEW STORE, & NEW SPRING GOODS.

D. M. & E. W. CRAIG,
WOULD inform their friends and purchasers generally, that they have taken the Store house lately occupied by James Penny, No. 5, Main Street, immediately opposite the Court house door, and are now receiving a very large and well selected stock of

Spring and Summer Goods,
Selected by both partners, in Philadelphia and New York, and they flatter themselves that, from their long experience in the mercantile business, and having purchased their Goods mostly for Cash, they will be enabled to sell remarkably low for cash, or to good customers, on the usual time.

THEIR STOCK CONSISTS, IN PART, OF THE FOLLOWING ARTICLES, VIZ:

Wool-dyed Black, Blue, and Fancy colored CLOTHS and CASIMERES, of the finest city cloth furnished; Plain and Figured Satins, Toinette, Mersailles, and other Fancy Vestings, and a great variety of Goods for men and boy's Summer Wear; Embroidery, such as Capes, Collars, Cuffs, Handkerchiefs and Children's Dresses; Thread Lisle and Mantillo Laces, and Thread and Muslin Insertings and Edgings, a splendid assortment; Pompadour, Mohair and Twisted Silk Shawls and Handkerchiefs, a great variety, and some very superior; Mouslin De Laine, Pong De Cherry, Chally and Challotte, Plain and Embroidered; Plain Figured Satins, Gro De Grains, Pout De Soi, Gro De Paris and Verita Lustreing Silks, Fancy Colors and Black;

Black and White English Plain, Ribbed and Derby Ribbed Hoes and Half Hoes;

Ladies' and Men's White, Bl ek and Fancy Kid, Hoskin, Silk, Thread and Lisle Gloves; Irish Linens, Lawns, Sheetings, Table Linens, Toweling Diapers and Satin-Faced Table Cloths, a great variety;

Super Kid and Lasting Shoes and Boots, for Ladies; Colored and Black Satin Gaiter Boots, for Ladies, a new article;

Misses and Children's Shoes; Men and Boy's Fine Boots and Shoes, very superior articles in that line;

Looking Glasses, Fine Cutlery and Fine Plated Castors and Tea Trays;

Carpeting, Hearth Rugs and Door Mats.

It is unnecessary to enumerate further, as we pledge ourselves to keep a full stock of all desirable Goods, and we will sell, either RETAIL or WHOLESALE, as low as any house in the Western Country.

We wish purchasers to call and examine for themselves before buying.
D. M. CRAIG, E. W. CRAIG.
Lexington, March 20, 1839.—121f

SAMUEL OLDHAM, Barber and Hair Dresser,

No. 18, Main Street Lexington.

RETURNS his grateful acknowledgments to the public, for the very liberal patronage bestowed upon him during the past 12 or 15 years, and is happy to inform his friends and customers, and the public generally, that he still continues his business in all its branches, at the old established and well known stand, a few doors below Brennan's Hotel, and nearly opposite the Intemperance Office, where he gives his undivided personal attention to the wants of his customers. The public are assured that no pains or expense will be spared to contribute to the comfort and convenience of those who may favor him with their custom, and from his long experience in business, and his determination to please, he hopes to be able to continue to give general satisfaction, and solicits a reasonable share of public patronage. He begs leave to inform the public that his

FANCY STORE,

Immediately in front of his dressing rooms, is constantly supplied with every article usually kept in similar establishments. Among a large assortment just received, may be found the following articles:

English, German and French Colognes, Lavender and Rose waters, &c. &c.

Supr. Bears and Macassar Oil; Antique do. Ladies Brades of every shade and description, Ringlet and Half Curle,

A large lot of Curling tongs, Gent. Wigs, Toupees, &c.

A large lot of superior Razor and Razor Straps, Backgammon Draft, and Chess Boards; Dominoes, &c.

Hair, Cloth, and Shaving brushes, of best quality, Fine Stitche Bosoms and Collars, a very superior article,

A great variety of Stocks, Neckkerchiefs, and Suspenders,

A large lot of Barber's shears, Toys of every description, &c. &c.

Together with almost every other article kept in Fancy Stores.

His **BATH HOUSE,** immediately in rear of his Fancy Store and Dressing Rooms, is now open for the season. To those who have once enjoyed the luxury afforded by a visit to his bath house, he feels it unnecessary to say anything to induce a repetition of their visits. To others he would remark, that his bathing rooms are furnished with every thing that necessity, comfort, convenience and neatness would require.
Lexington, May 9, 1839—19-1f

WIVES.

MADEIRA—In pipes, qr. casks, Indian barrels, demijohns and bottles;

TINTA-MADEIRA—In Indian barrels, demijohns and bottles;

SHERRY, Brown, Pale and Golden—in qr. casks, Indian barrels, demijohns and bottles;

PORT, White and Red—in qr. casks, demijohns and bottles;

MALMSEY, White and Red—in qr. casks, Indian barrels, demijohns and bottles;

CONSTANTIA—in qr. casks, demijohns and bottles;

ROXBURY and CANARY MADEIRA—a very rare and delicate article, in Indian barrels, demijohns, and bottles;

HOCK—in cases;

LOUBENHILLER;
JOHN HENRICH, (Cabinet);
HOCKHEIMER;
SAUTURN;

MUSCAT—in cases, assorted qualities, some of which is very fine;

SPARKLING BURGUNDY—very delicate;

CHAMPAGNE—a variety of brands;

SHIMMERTAIN, and a variety of **CLARETS.**

The above Wines have been carefully selected from the importations of John Linton, March & Bro.; Barclay & Livingston; J. & D. M. Williams; Vaughn & Co.; Dull, Gordon & Co.; and some other approved importers, and a part of them imported direct by myself—all of which will be sold at reduced prices—carefully put up, and warranted pure, and in every instance where they do not prove such, they will be taken back, and all charges paid by me. Those who wish to supply themselves, will do well to call and examine.

IN STORE,

A large supply of Champagne and Cognac Brandy, A. & E. Seignette, O'Tarde, Dupuy, &c. Brands; Jamaica Spirits; Holland Gin; Irish and Old Bourbon Whiskey, which will be sold in lots to suit purchasers.
BEN F. CRUTCHFIELD.
Lex. March 11, 1839—11-1f.

NEW FIRM.

McLEAR & BEARD,

HAVE entered into partnership in the Grocery business, at the old stand of F. McLEAR, corner of Main street and Broadway, and they would respectfully inform the old friends and customers of the house, and the public generally, that they have just received a large and first rate assortment of

FRESH GROCERIES,

Comprising every article usually kept in a house of the kind. Their **SUGARS, COFFE, TEAS, &c. &c.** are the best that could be procured in New Orleans, which with every other article in their line, will be sold as low, and on as good terms, as any other house in the city, either **WHOLESALE or RETAIL.** They respectfully solicit their friends and the public to call and examine their stock, as they feel assured that they can offer as great inducements as any other house.

They have just received a large assortment of **Queensware and Stoneware.** Also, 250 barrels of Cumberhough's superior Superfine FLOUR, &c.

Advances made on goods sent on commission. They will receive and forward goods at the usual prices.
F. McLEAR, JOSEPH BEARD.
Lexington, April 25—17-3m

FOR SALE.

A BLACK WOMAN, about 35 or 40 years old. She Cooks, Washes, &c.—apply to the Editor of this paper.
Lexington, March 21—12-1f.

THE TEXAN EMIGRANT